

IN THE UNITED STATES COURT OF FEDERAL CLAIMS

MYNETTE TECHNOLOGIES, INC.
and STEVEN M. COLBY,

Plaintiffs,

V.

THE UNITED STATES,

Defendant,

and

GEMALTO, INC. and IDEMIA IDENTITY
& SECURITY USA LLC,

Intervenor-Defendants.

Case No. 16-cv-01647-RTH

Judge Ryan T. Holte

JOINT MOTION TO AMEND CASE SCHEDULE

Plaintiffs Mynette Technologies, Inc. and Steven M. Colby (collectively, “Mynette”), Defendant, the United States (“the Government”), and Intervenor-Defendants Gemalto, Inc. (“Gemalto”) and Idemia Identity and Security USA LLC (“Idemia”) (collectively, “the Parties”) respectfully submit this Joint Motion to Amend Case Schedule.

The Parties have jointly agreed upon the following amended schedule for consideration by the Court, and respectfully move the Court to adopt this case schedule. The Parties submit that good cause exists for this proposed schedule amendment. The Parties have completed the majority of the depositions referenced in their last Joint Motion (ECF No. 114). However, as indicated in that Motion, certain documents requested from the Department of Homeland Security which implicate “sensitive information” required additional and time-consuming security and confidentiality review protocols before they could be cleared for production. These reviews are

now complete but the parties require additional time to conduct depositions of the Transportation Security Administration now that the aforementioned documents are cleared for production, as well as to conduct the depositions of Plaintiffs and resolve any remaining discovery issues. The deadlines proposed herein will allow the parties to complete the few remaining depositions while accommodating the schedule of counsel and the witnesses.

Accordingly, for the reasons set forth herein, the parties respectfully request that the Court adopt the following schedule:

| Event | Proposed Date | Current Date |
|--|----------------------|---------------------|
| Close of fact discovery, including for damages-related fact discovery. The Parties have agreed that no new discovery requests will be served. Previously noticed depositions are permitted and the parties may follow up on previously propounded discovery requests. | July 23, 2021 | May 28, 2021 |
| RCFC 26(a)(2)(A) disclosure of experts and CVs (except for damages) | August 13, 2021 | June 18, 2021 |
| Exchange of RCFC 26(a)(2)(B) opening expert reports on issues upon which the parties carry the burden of proof (except for damages) | October 22, 2021 | August 27, 2021 |
| Exchange of RCFC 26(a)(2)(B) responsive expert reports (except for damages) | December 3, 2021 | October 8, 2021 |
| Close of expert discovery (for all issues other than damages) | December 21, 2021 | October 26, 2021 |
| Deadline for Dispositive Motions Under RCFC 56 | February 15, 2022 | December 14, 2021 |

| Event | Proposed Date | Current Date |
|---|----------------|------------------|
| Deadline for Responses to Dispositive Motions | March 18, 2022 | January 18, 2022 |
| Deadline for Replies to Dispositive Motions | April 1, 2022 | February 1, 2022 |
| Pretrial Conference | Not Set | Not Set |
| Trial on liability (10 days) | Not Set | Not Set |

Respectfully submitted,

By: /s/ Robert J. Yorio

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June 4, 2021

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June 4, 2021